

STATE OF MINNESOTA

BOARD OF SOCIAL WORK

2829 University Avenue SE, Suite 340 • Minneapolis, Minnesota 55414-3239 • Website: www.socialwork.state.mn.us

Tel (612) 617-2100 • Toll Free (888) 234-1320 • TTY (800) 627-3529 • Fax (612) 617-2103 • Email: social.work@state.mn.us

REGULAR BOARD MEETING

University Park Plaza

University Conference Room A – 4th Floor

2829 University Avenue S. E.

Minneapolis, Minnesota 55414

January 20, 2006

Members Present: Anthony Bibus, III, LISW, Chair
David Hallman, LSW, Secretary-Treasurer
Rosemary Kassekert, Public Member
Margaret Sebring Khali, LSW
Peter Langseth, LSW
Kenneth Middlebrooks, Public Member
Anoma Mullegama, LICSW
Beverly Ryan, LISW
Antonia Wilcoxon, Public Member, Vice Chair

Members Absent: Kathleen Beehler, LSW
William Cullen, Public Member
Roy Garza, LGSW
Paul Gaston, LSW
Mary Casey Ladd-Bowman, LICSW

Staff Present: Louis Hoffman, Compliance Director
Bre Keefe, Licensing Specialist
Brenda Mammenga, Compliance Coordinator
Sheryl McNair, LICSW, Staff Social Worker
Frank Merriman, Executive Director
Connie Oberle, Office Manager

Staff Absent: Kate Zacher-Pate, LSW, Assistant Director

1. PROPOSED AGENDA

Chair Wilcoxon called the meeting to order at 10:05 a.m.; a quorum was present. Wilcoxon asked if the Board would approve a request from Pam Luinenberg, Coordinator of the Minnesota Coalition of Licensed Social Workers, to address the Board during today's meeting. **A motion was made by Langseth, and seconded by Bibus, to approve Luinenberg's request to be put on today's agenda which would**

occur after the first two items under number 4, and to approve the agenda as revised. The motion carried unanimously.

2. MINUTES FOR NOVEMBER 18, 2005 MEETING

A motion was made by Bibus, and seconded by Middlebrooks, to approve the November 18, 2005 minutes. The motion carried unanimously.

3. EXECUTIVE DIRECTOR'S REPORT: (Frank Merriman)

- There has been a high volume of work related to implementing the new legislation which took effect January 1, 2006. It was estimated that it could take up to six months to make this significant shift in operations which includes disseminating information to the licensees and the public, responding to subsequent phone calls and correspondence about the changes, and updating the web site and forms.
- Board staff has not been able to provide the normal level of service to licensees due to the high volume of work and staffing issues that have resulted in fewer staff available on a daily basis, particularly in the licensure unit. Merriman noted that out of necessity, Zacher-Pate and Oberle have taken on burdensome workloads to ensure that the office is running smoothly and the work is being done in as timely a manner as possible.
- New staff has been hired, and the Board's "Organization Chart" was distributed and also included in the Board mailing packet. Bre Keefe, Licensing Specialist, was introduced as a new full-time employee. Jamie Cullen and Britta Orr have held staff positions in the past and are the licensing unit's new temporary staff.
- Agenda item 8, Training on the New Statute, will be presented at the March Board meeting due to Zacher-Pate's absence today. She had a family emergency.
- Merriman revised and outlined his goals in each section of the work plan. He will update it for each Board meeting. Hallman, Mullegama and Wilcoxon complimented Merriman on the work plan and said they appreciated his work.
- "Board Training Sessions" was distributed as an outline of what Merriman would like to accomplish in this area. Board training will be a part of each Board meeting. The following Board meetings will include discussions on the following:
 - The 2006 legislative session in March;
 - Online services in May;
 - Board self-evaluation in July;
 - Overview of the budget process in September; and
 - A summary of the legislative process in November.
- The Drive to Excellence, an initiative launched by Governor Pawlenty, is an ongoing process. Please refer to the handout included in your Board mailing packet which outlines the six areas that are reported on in the "Executive Summary" from the Governor's office.
- The Executive Directors of the Health Licensing Boards invited Gopal Khanna, Director of the Office of Enterprise Technology, to discuss the Boards' cooperation with Enterprise in regard to the Drive to Excellence. Merriman also

mentioned the new License Minnesota website which will enhance public access to every licensing body in the state. (See memo from Merriman to Khanna dated December 21, 2005.)

- On behalf of the Health Licensing Boards ("HLB") and as Chair of the Executive Directors Forum, Merriman wrote to John Lally, Director of Strategic Planning, regarding the IT governance model the HLB has developed and its possible use by other non-cabinet agencies which provide professional regulation and licensing functions. Merriman also wrote of his concern about the state's use of having third-party administration of professional exams, and that it would be a step backward for both licensees and the public. (See memo from Merriman to Lally dated January 5, 2006.)
- As Chair of the Executive Directors Forum, Merriman also wrote to Carolyn Jones, the Governor's new Senior Policy Advisor, and extended an invitation for her to meet with the HLB Executive Directors to discuss any issues the Governor's Office has regarding health occupation regulation. (See letter to Jones from Merriman.)
- Merriman referred to the Board lists included in Section 3-D of this agenda. He called attention to the Board member distribution list and the requirements that make it difficult for the Governor's Office to appoint Board members. There continues to be one vacancy on the Board. John Berns, Appointments Coordinator of the Governor's Office, asked that he receive the Board meeting mailing packet, and this was done for the first time with this Board meeting. Also, please update the Board Member lists if your information has changed.
- The Board member conference sign-up sheet for ASWB's Spring Education Meeting, April 27-30, 2006 in Portland, Oregon was passed. Ryan noted that she would like to attend, and Langseth and Wilcoxon are marked down as possible attendees.

NOTE: Bibus commented that over his years of serving on the Board, he has never seen this level of challenge to Board staff due to the recent implementation of new Board legislation. He asked if there was any way that the Board could assist the staff with the challenges.

Merriman responded that the workload has become manageable with the recent hiring of new employees and staff taking on more duties, but at one time he considered asking Board members for help. Merriman noted the following challenges:

- The level of telephone calls resulting from the new legislation has dramatically increased and it has become difficult for staff to respond to licensees as quickly as is customary. Merriman assured the Board that customer service is the Board's first priority, and that measures have been taken to prevent staff burnout and to respond to inquiries in as timely a manner as possible.
- Merriman noted that the Board's website is out-of-date except for the 2006 legislation and summary, Board fees, and ethics information. Updating the website is a priority.

- Due to the self-imposed moratorium on staff presentations at conferences at this time, Bibus and Hallman have agreed to do an educational presentation at the MSSA conference on March 23 in Bloomington.

4. DISCIPLINARY MATTERS: (Margaret Sebring Khali)
[EXECUTIVE SESSION – Closed to the public at 10:48 a.m.]

1. In the Matter of Ernest L. Grossbach, Expired LSW License No. 8707. **The Compliance Panel's recommendation to approve the Stipulation and Order was unanimously approved by the Board.**

2. In the Matter of Denise Jackson-Barker, LICSW License No. 13471. **The Compliance Panel's recommendation to approve the Order of Non-Revocation was unanimously approved by the Board.**

[The meeting was re-opened to the public at 10:59 a.m.]

ADDED AGENDA ITEM: Discussion by Pam Luinenberg

Wilcoxon introduced Pam Luinenberg, Coordinator for the Minnesota Coalition of Licensed Social Workers, and Pam Berkwitz, Coalition Chair. Wilcoxon said that Luinenberg would like to make a statement to the Board about an issue, and that the Board was not being asked to make a decision at this time. (See handout from the Coalition to the Board dated January 18, 2006.)

Luinenberg noted that the Coalition is a group of 7 social work organizations which was formed in the 1970's for the purpose of licensing social workers. The group meets monthly and works with the Board and social workers to advocate for professional standards. Luinenberg referred to the January 18 memo from the Coalition to the Board which asks that MSW's taking the LICSW examination be required to take clinical coursework as a prerequisite. She pointed out that the social work licensing law that was in effect through December 2005 required LICSW applicants to complete some clinical coursework. However, the statute that went into effect January 2006 does not include this requirement. Luinenberg acknowledged that although the requirement is not in the Model Act and was never enforced by the Board, the Coalition's developing consensus is that it should be in the statute. The following discussion occurred:

- Bibus noted that coursework requirements have not been included in Board regulations in the past because it is not beneficial to the Board or its licensees to have unenforceable regulations.
- Luinenberg responded that it would be good to put some workable wording back into law.
- Mullegama asked how clinical course work is defined.
- Luinenberg responded that the Coalition would like the schools to define clinical course work.
- Bibus responded that the definition may vary depending on the context.

- Luinenberg responded that these issues are in the process of being discussed by the different associations. So far the consensus of the associations is to either ask the Board to authorize individuals to draft an amendment to reinstate the clinical coursework requirement, or to ask the Board to support the Coalition if it put together an amendment that could be brought before this legislative session.
- Luinenberg added that there is great impact on the Board's decision to act on this issue as the Board of Behavioral Health and Therapy which regulates Licensed Professional Counselors may decide not to require clinical coursework before licensure because it is not required by the Social Work Board.
- Mullegama asked why the requirement should be reintroduced at this time.
- Luinenberg responded that the Coalition's request is based on discussions its members have had about what in their training has helped them practice in a competent and ethical manner. Most agree that it's important to have the clinical educational background for supervisors to build on as they acquire additional clinical knowledge in the field.
- Wilcoxon said she was concerned with the urgency of this issue and its coming directly to the Board instead of going through the Advisory Committee first. She also believes that the definition of clinical coursework needs to be analyzed further before moving forward.
- Langseth was concerned that opening up the statute could result in changes that the Board has not initiated.
- Luinenberg said that stakeholders will continue to meet, such as the mental health network for professional counselors, and the reason she came before the Board today is that she feels social workers need to be on top of what is going on in the profession.
- Wilcoxon asked what the Board would like to do. Would the Board like to refer this to the Advisory Committee?
- Bibus said "yes."

A motion was made by Langseth, and seconded by Bibus, that the Board recommends sending a letter to interested parties concerning a requirement for LICSW applicants to have completed clinical coursework. The Board will review the issue in detail and make a recommendation about the matter in a timely and thoughtful manner. The Board will not recommend opening up the statute in the 2006 legislative session. The motion was approved unanimously.

**4. DISCIPLINARY MATTERS: (Margaret Sebring Khali) – Continued-
[EXECUTIVE SESSION – Closed to the public at 11:28 a.m.]**

3. In the Matter of Tonya M. Marden, LSW License No. 10225. (Hoffman distributed a Stipulation and Order in this matter.) The Compliance Panel's recommendation to approve the Stipulation and Order was unanimously approved by the Board.

[The meeting was re-opened to the public at 11:35 a.m.]

5. COMMITTEE REPORTS

A. Compliance Education Outreach Committee: Antonia Wilcoxon

Wilcoxon asked Hoffman to report. Hoffman said that the committee has not met since the last Board meeting, but he did say that staff would not be able to take part in presenting at conferences at this time due to work backlog. Therefore, Bibus and Hallman have agreed to do a presentation on the new Practice Act at the MSSA Conference in Bloomington on March 23. Hoffman will be able to present at the Home Health Care Association conference in May. Wilcoxon thanked Bibus and Hallman for presenting at the MSSA conference.

B. Finance Committee: David Hallman

Merriman distributed the committee minutes dated Thursday, January 19, 2006. Hallman reported that as of December 2005, revenues are at 48%, and it is expected that there will be less than a \$200,000 surplus this year. The committee is waiting to see the results of lowering licensure fees. It is hoped that more people will become licensed or renew their licenses, and Hallman said that the renewal rate is being tracked.

C. ESL Committee: Peter Langseth

Merriman distributed the committee's minutes from the Thursday, January 19, 2006 meeting. Langseth reported the following:

- At its presentation at the last Board meeting, ASWB said that it could not answer all of the Board's questions about ESL in the licensure examination process because of its proprietary nature.
- At the last ASWB Annual meeting, a motion initiated by a group of states asked ASWB to release its ESL statistics. The motion failed. However, the same discussion will be brought up among interested states at the next ASWB Annual Meeting.
- Colleen McDonald, the Board's ESL consultant, will gather information from other states which could be used to persuade ASWB at its Annual Meeting to modify the examination to address cultural bias issues, or to develop an alternative to the ASWB test. Langseth believes it would be beneficial for someone from the community, such as an ESL committee member, to make a presentation at the Annual Meeting.
- The committee discussed the ESL efforts in which the Coalition and Pam Luinenberg are involved. Several ESL Committee members will attend the March Coalition meeting. It would be beneficial if the two groups, along with the Advisory Committee, could make a recommendation to the Board about the results of their discussion.
- Janina Aristy, Executive Director of the Multicultural Specialty Provider Network (MSPN), a national group dealing with Asian-Pacific minorities, met with the committee last evening. MSPN assists people from minority ethnic groups, who have graduated

from an accredited program, by tutoring, paying for examination fees, educational materials, technical instruction and computer costs. Upon passing the exam, MSPN will also mentor people who are working with mental health groups. Funding has been provided by the St. Paul Foundation and the Bigelow Foundation.

- Langseth said that Aristy could do a presentation to the Board regarding MSPN's progress in working with ESL participants.
- It would be beneficial for the ESL presenter at the ASWB Annual Meeting to have information regarding the benefits that minority communities, including Native Americans, African Americans, Somali's and Latino's, have received from ESL programs.
- Langseth is very pleased with the progress being made for ESL applicants for licensure, and he said that the Board will help in any way possible.
- Langseth asked if Board members would be interested in becoming exam writers for ASWB as there is a shortage in foreign born or multi-cultural writers. He also pointed out that Mullegama is an exam writer.
- There was a discussion about the possible ramifications the Drive to Excellence could have on the ESL issue.

D. Legislative Task Force: Tony Bibus

Bibus reported the following:

- The Task Force met in December, and will meet the same day as the Advisory Committee – the first Friday of the month opposite Board meetings. The Task Force includes Board members Gaston, Langseth, Middlebrooks, Cullen and Bibus. Merriman and Zacher-Pate are staff liaisons, and Pam Luinenberg from the Coalition and Alan Ingram from the Minnesota Chapter of NASW represent the Advisory Committee.
- There has been a good start on the issue of potentially licensing social workers in exempt settings. There are six years left to work on this ten year projected goal.
- It is important to make political connections, to collect data from public sector social workers and to get the facts out to the unions, county social service administrators, ombudsman, client advocacy groups and the media. Also, data should be collected from ASWB to compare the status of exemptions in other states.
- Should exempt social workers have the opportunity to be grandparented into licensure before the exemptions are removed?
- Will the decrease in licensure fees cause more people to become licensed?

E. Executive Committee: Tony Bibus

Bibus reported that the committee did not meet. He is rotating off the committee.

6. COMMITTEE ASSIGNMENTS: Antonia Wilcoxon

A. Liaison to OMHP

Wilcoxon deferred to Merriman who explained that OMHP was transferred from the Department of Health to the Health Licensing Boards by the 2005 legislature. The Board is governed by the Program Committee which includes a representative from each Mental Health Licensing Board. Bibus has agreed to chair the Program Committee.

Bibus reported that OMPH has a wonderful web site. The Program Committee is concerned about getting the word out about the Board as there have not been many referrals since it began in July 2005.

A motion was made by Hallman, and seconded by Langseth, to appoint Bibus as the Board's liaison to OMHP. The motion carried unanimously.

B. Other Assignments

Merriman noted that Gaston will not seek re-appointment to the Board, and asked if a Board member would like to serve as a representative on the Council of Health Boards. The next meeting is on February 1 at 12:00 p.m. **A motion was made by Bibus, and seconded by Mullegama, to nominate Kassekert to serve as the Board's liaison to the Council of Health Boards. The motion carried unanimously.**

7. FOLLOW-UP TO NEW BOARD MEMBER TRAINING: Frank Merriman

Merriman asked if the Board would like to have a follow-up to the new Board member orientation that staff presented to Cullen, Kassekert, and Ryan. Ryan and Kassekert said it would be helpful. All Board members would be invited to attend.

(12:00) Lunch (12:10 – 12:50 p.m.)

8. TRAINING ON NEW STATUTE: Frank Merriman, Kate Zacher-Pate, and Louis Hoffman

Merriman reported that the training would not occur today as Zacher-Pate was unable to be here to give her power point presentation on the licensure changes in the statute. Merriman was going to give the introduction, and Hoffman was going to talk about the changes in the compliance area. As most of the changes are related to licensing, the presentation will be postponed until the next Board meeting.

During the lunch break Langseth called ASWB for information about its Spring Education Meeting in Portland on April 27-30. Ethics in Social Work Practice is the topic. **A motion was made by Langseth, and seconded by Bibus, to approve one or more staff members and one Board member to attend ASWB's Spring Education Meeting in Portland, Oregon April 27-30, 2006. The motion was approved with Ryan attending on behalf of the Board members. The motion carried unanimously.**

9. PUBLIC COMMENT

There was no public comment. However, Bibus reported on behalf of the Advisory Committee (see minutes attached):

- The clinical coursework requirement will be discussed at the committee's next meeting after a presentation by Pam Luinenberg and Pam Berkwitz.
- Christy Wright presented on behalf of OMHP regarding the new office's operations, feedback received from the Coalition advocacy groups, and contacting the state's ombudsman.
- The Legislative Task Force gave an update.
- There was a presentation by the ESL Committee regarding the ESL dialog/discussion with ASWB.
- Bibus announced the new Board leadership – Chair Wilcoxon and Vice-Chair Mullegama. Hallman remains the Secretary-Treasurer.

10. OTHER BUSINESS


Merriman noted a point of information regarding Senator Kiscaden, who has carried the Board's legislation in the past. Kiscaden has joined the Duran ticket and is running for Lieutenant Governor. Merriman asked if Board members could make any recommendations for a new legislator that could carry our legislation forward during the 2007 session.

The suggestion was made to ask Representative Abler for a recommendation.

11. ADJOURN

The meeting adjourned at 1:15 p.m.

Respectfully submitted,


David Hallman, LSW
Secretary-Treasurer